Robert M. Nicoud, Jr. State Bar No. 15017900 OLSON NICOUD & GUECK, L.L.P. 1201 Main Street, Suite 2470 Dallas, Texas 75202 (214) 979-7300 - Telephone (214) 979-7301 - Facsimile

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## ATTORNEYS FOR VERNON JACKSON

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	§	
	§	
VERNON DEWAYNE JACKSON,	§	CASE NO. 03-44625-BTR-11
Debtor	§	CHAPTER 11
	§	
LITTON LOAN SERVICING, LP.	§	
AS SERVICING AGENT FOR THE	§	
CHASE MANHATTAN BANK, AS	§	
TRUSTEE UNDER THE POOLING	§	
AND SERVICING AGREEMENT,	§	
DATED AS OF NOVEMBER 1,	§	
2000, AMONG CREDIT-BASED	§	
ASSET SERVICING AND	§	
SECURITIZATION LLC,	§	
RESIDENTIAL ASSET FUNDING	§	
CORPORATION, LITTON LOAN	§	
SERVICING LP AND THE CHASE	§	
MANHATTAN BANK, C-BASS	§	
MORTGAGE LOAN ASSET-BACKED	§	HEARING DATE:
CERTIFICATES, SERIES	§	
2000-CB4, WITHOUT RECOURSE	§	TIME:
Movant	§	
	§	
v.	§	
	§	
VERNON DEWAYNE JACKSON;	§	
U.S. TRUSTEE (TYLER), TRUSTEE	§	
Respondents.	8	JUDGE BRENDA T. RHOADES

RESPONSE TO THE MOTION OF LITTON LOAN SERVICING, LP FOR RELIEF FROM STAY

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Vernon Dewayne Jackson, Debtor, and files this Response to the Motion of

Litton Loan Servicing, LP for Relief from Stay and would show this Court as follows:

1. Debtor admits the allegations contained in paragraphs 1 through 3.

2. In response to paragraph 4, Debtor admits the execution of the promissory note but

alleges that he does not have any personal liability on said note.

3. Debtor denies the allegations contained in paragraph 5. The asserted lien of Movant

is invalid for Movant's failure to comply with the applicable provisions of the Texas Constitution

for a home equity loan. Specifically, the loan was not closed at the office of a title company, the

lender or an attorney at law as required by the Texas Constitution.

4. Debtor denies the allegations contained in paragraphs 7 through 12.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that this court deny the Motion

of Litton Loan Servicing, LP for Relief from Stay and award Debtor such other and further relief

to which he may show himself justly entitled.

Respectfully submitted,

OLSON NICOUD & GUECK, L.L.P.

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By: /s/ Robert M. Nicoud, Jr.

Robert M. Nicoud, Jr.

State Bar No. 15017900

RESPONSE TO THE MOTION OF LITTON LOAN SERVICING, LP FOR RELIEF FROM STAY

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## ATTORNEYS FOR DEBTOR

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Response to the Motion of Litton Loan Servicing, LP for Relief from Stay was served upon:

Shawn I. Carter Barrett Burke Wilson Castle Daffin & Frappier, L.L.P. 1900 St. James Place, Suite 500 Houston, Texas 77056

Office of the United States Trustee 110 N. College Ave, Suite 300 Tyler, Texas 75702

via electronic means or U.S. Regular 1st Class Mail, on the 19th day of November, 2003.

/s/ Robert M. Nicoud, Jr.
Robert M. Nicoud, Jr.